

#3

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, Athan Gibbs, Sr.,

I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

VOTE CERTIFICATION, VALIDATION AND VERIFICATION METHOD AND APPARATUS

the specification of which was filed on April 25, 2001 as Application Serial No. 09/843,042.

I do not know and do not believe that the invention was ever known or ever used in the United States before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States more than one year prior to the date of this application.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations Section 1.56(a).

I hereby claim benefit under Title 35, United States Code, Section 120, of copending United States provisional patent application serial Number 60/274,704 filed March 9, 2001, and patent application serial number 09/827,231 filed April 5, 2001, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior US application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information which is material to the patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national filing date of this application.

As a named inventor, I hereby appoint the following attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

| | |
|-------------------|-----------------|
| Robert B. Kennedy | Reg. No. 24,294 |
| Dorian B. Kennedy | Reg. No. 36,840 |
| Carl M. Davis II | Reg. No. 31,502 |
| Michael J. Powell | Reg. No. 38,997 |
| Thomas A. Hodge | Reg. No. 22,602 |

SEND CORRESPONDENCE TO:
Carl M. Davis II
Baker, Donelson, Bearman & Caldwell
Suite 900
Five Concourse Parkway
Atlanta, Georgia 30328

DIRECT PHONE CALLS TO:
(770) 396-2244

In re application of Athan Gibbs, Sr.

VOTE CERTIFICATION, VALIDATION AND VERIFICATION METHOD AND
APPARATUS

S/N 09/843,042

Page 2 of 2

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Athan Gibbs, Sr.

Inventor's Signature Athan Gibbs, Sr.

Date 08-24/01

Country of Citizenship: USA

Residence: 3105 Clarksville Highway, Suite A, Nashville, TN 37218

Post Office Address: 3105 Clarksville Highway, Suite A, Nashville, TN 37218

Docket No: 825061-00002